

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

ROTHSCHILD PATENT IMAGING LLC,

Plaintiff,

v.

IQ LOGIC, INC.,

Defendant.

Case No. 22-cv-01937-BLF

**ORDER DISMISSING CASE
WITHOUT PREJUDICE**

On May 9, 2023, the Court ordered Plaintiff to file a motion for default judgment by no later than June 9, 2023. ECF No. 17. On June 12, 2023, after Plaintiff failed to timely file its motion or request an extension of time, the Court ordered Plaintiff to show cause by no later than June 26, 2023, why this case should not be dismissed for failure to prosecute. ECF No. 18. The Court explained that a failure to timely respond to the order to show cause would result in dismissal of the case without prejudice. *Id.* Plaintiff has not responded to the order to show cause. Accordingly, this action is DISMISSED WITHOUT PREJUDICE. *See* Fed. R. Civ. P. 41(b); *Edwards v. Marin Park, Inc.*, 356 F.3d 1058, 1065 (9th Cir. 2004) (“The failure of the plaintiff eventually to respond to the court’s ultimatum . . . is properly met with the sanction of a Rule 41(b) dismissal.”).

IT IS SO ORDERED.

Dated: June 28, 2023


BETH LABSON FREEMAN
United States District Judge